



**FACILITY COMPLIANCE AUDIT REPORT**  
**Division of Waste Management**  
**Solid Waste Section**

**UNIT TYPE:**

Lined MSWLF		LCID		YW		Transfer		Compost		SLAS		<b>COUNTY: Gaston</b> <b>PERMIT NO.: 36-11TP</b> <b>FILE TYPE: COMPLIANCE</b>
Closed MSWLF		HHW		White goods		Incineration		T&P	<b>X</b>	FIRM		
CDLF		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO		SDTF		

**Date of Audit:** October 14, 2009

**Date of Last Audit:** November 13, 2008

**FACILITY NAME AND ADDRESS:**

BMWNC, Inc  
 148 Boxwood Lane  
 Gastonia, North Carolina 28054

**GPS COORDINATES:**    N: 35.28163        W: 81.18219

**FACILITY CONTACT NAME AND PHONE NUMBER:**

Mary McIntosh, Facility Manger (704) 200-2040

**FACILITY CONTACT ADDRESS:**

Same

**AUDIT PARTICIPANTS:**

Charles Gerstell, NCDENR-Solid Waste Section  
 Mary McIntosh, Facility Manager  
 Rich Zurenda, Plant Supervisor

**STATUS OF PERMIT:**

On June 28, 2007, permission was granted to BMWNC, Inc to begin operations in accordance with the approved operations plan and permit to construct. A Permit to Operate will be issued at a later date.

**PURPOSE OF AUDIT:**

Comprehensive Audit

**NOTICE OF VIOLATION(S):**

**15A North Carolina Administrative Code 13B .1207(2)(d) states:** Monitoring under conditions of full loading for effectiveness of treatment shall be performed no less than once per week through the use of biological indicators or other methods approved by the Division.

During the inspection, Ms. McIntosh stated that efficacy tests were performed once every six months. Test results from a January 2009 efficacy test was observed during the inspection, but no additional results were provided for subsequent tests. Therefore, BMWNC, Inc is in violation of 15A NCAC 13b .1207(2)(d).

To achieve compliance, BMWNC, Inc. must perform monitoring under conditions of full loading for effectiveness of treatment no less than once per week through the use of biological indicators or other methods approved by the Division.

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**15A North Carolina Administrative Code 13B .1207(2)(f) states:** A log of each test of effectiveness of treatment performed shall be maintained and shall include the type of indicator used, date, time, and result of test.

During the inspection, test results for a January 2009 efficacy test were observed. However, no additional results were provided for subsequent tests. Therefore, BMWNC, Inc. is in violation of 15A NCAC 13B .1207(2)(f).

To achieve compliance, BMWNC, Inc. must maintain a log of each test of effectiveness of treatment which shall include the type of indicator used, date, time, and result of test. These records must be available to the Division upon request.

You are hereby advised that, pursuant to N.C.G.S. 130A-22, an administrative penalty of up to \$15,000 per day may be assessed for each violation of the Solid Waste Statute or Regulations. For the violation(s) noted here, you may be subject to enforcement actions including penalties, injunction from operation of a solid waste management facility or a solid waste collection service and any such further relief as may be necessary to achieve compliance with the North Carolina Solid Waste Management Act and Rules.

**STATUS OF PAST NOTED VIOLATIONS:**

None

**AREAS OF CONCERN AND COMMENTS:**

- 1.) Facility is currently operated on a limited basis. However, a significant volume of waste was treated from January 2009 through June 2009 at an average of 170.26 tons of waste per month. The facility has not processed any waste since June 9<sup>th</sup> of this year and was not in operation at the time of inspection.
- 2.) All treated waste is disposed of that the BFI-Charlotte Motor Speedway Landfill (Permit #13-01)
- 3.) Reviewed the Permit to Construct and the Operations Plan. These documents were current and available for review.
- 4.) A small amount of treated waste was observed in multiple treatment bins. Be sure this waste is removed from the treatment bins on a regular basis and disposed of at a permitted solid waste management facility.
- 5.) No untreated waste was located within the facility at the time of inspection.
- 6.) The floor of the facility was maintained in a clean condition.
- 7.) A chart recorder was provided on the autoclave to record time and temperature of each treatment cycle as required. Mr. Zurenda explained that waste was being treated at 300°F for 45-minutes at 37.5 PSI.
- 8.) Reviewed waste manifests. All waste appeared to have been treated within 7 days of receipt.

Please contact me if you have any questions or concerns regarding this audit report.

  
Charles T. Gerstell  
Environmental Senior Specialist  
Regional Representative

Phone: (704) 663-1699.

Delivered on : <u>10/29/09</u> by		Hand delivery		US Mail	X	Certified No. [ 7008 1140 0002 2715 6967 ]
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cc: Mark Poindexter, Field Operations Branch Supervisor  
Deb Aja, Western District Supervisor

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